

**LEXINGTON-FAYETTE URBAN COUNTY COUNCIL**

**WORK SESSION AGENDA**

**April 20, 2010**

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – Yes**
- III. Approval of Summary-Yes, April 13, 2010, pp.7-10**
- IV. Budget Amendments – Yes, pp.11-16**
- V. New Business, pp.18-66**
- VI. Continuing Business / Presentations**
  - A. Corridors Commission, pp.67-70**
  - B. Council Intergovernmental Committee, pp.71-73**
  - C. 2010 Public Health Hero  
Dr. Melinda Rowe, Commissioner of Health  
Lexington-Fayette County Health Department**
- VII. Council Report**
- VIII. Mayor's Report – Yes**
- IX. Public Comment – Issues Not on Agenda**

## ADMINISTRATIVE SYNOPSIS

### **New Business Items**

- A. Authorization to Submit Grant Application to the Kentucky Department of Education (KDE) and Accept the Award if Offered, and Execute an Agreement with the Fayette County Board of Education (FCBE) for Operation of the Summer Food Service Program for 2010. (179-10) (P. King/Cole)

This request will authorize the submission of a grant application for federal funds in the amount of \$146,985 to KDE, Division of Nutrition & Health Services, and accept the award if offered, for the Summer Food Service Program. The program will operate at approximately 40 sites in low-income neighborhoods and includes the Extended School Program, open parks and camps operated by the Division of Parks & Recreation, and other children's programs operated by public and private nonprofit groups. This will also approve an agreement with FCBE, Food Services, to prepare and deliver meals and snacks to the sites. The source of funds is the US Department of Agriculture. While no matching funds are required, \$65,600 is budgeted in the FY2010 General Fund budget for the program. Total annual impact is \$212,585.**pp.18-19**

- B. Authorization to Approve 2010 Concession Contracts with Youth Baseball Leagues on Behalf of the Department of General Services, Division of Parks & Recreation. (180-10) (Hancock/Cole)

This request will authorize the approval of 2010 Concession Contracts with John Ivey, South Lexington Babe Ruth at Shillito Park; B.J. Carson, Bluegrass Girls Fastpitch at Cardinal Run and Gainesway Parks; Mike LeVan, Northern Cal Ripken at Constitution and Kenawood Parks; Joni Hollon, Northern Babe Ruth at Constitution Park; Cliff Hensley, Lexington Fastpitch at Constitution Park; Shawn Yeary, Southeastern Babe Ruth at Veterans Park; David Henry, Eastern Little League at Ecton and Johnson Heights Parks; Donetta Morton, Dixie Youth Baseball at Mary Todd Park; Jude Ritchie, South Lexington Youth Baseball at Shillito Park; Jeff Nash, Western Little League at Cardinal Run and Wolf Run Parks; Eileen Keplinger, Southwest Lexington Pony Baseball at Cardinal Run and Garden Springs Parks, and Airport Fields; and Terry Johnson, Southeastern Cal Ripken at Veterans and Crosby Parks on behalf of the Division of Parks & Recreation for Youth Baseball Leagues Spring season.**p.20**

- C. Authorization to Approve Claims Payment Agreements for Summary Plan Description PPO 100/70, PPO 80/50 and HDHP, an Amendment to Plan Management Agreement, and an Amendment No. 2 to Group Stop-Loss Policy with Humana Insurance Company (HIC). (176-10) (L. Jarvis/Rumpke)

This request will authorize the approval of Claims Payment Agreements for Platinum PPO 100/70, Gold PPO 80/50 and Silver HDHP by HIC on behalf of participants in the health insurance plans; amends the Plan Management Agreement, effective January 1, 2008, regarding Articles III, V, VII, XI, and XIII and Exhibits C and F; and an Amendment No. 2 to Group Stop-Loss Policy that supersedes and to be substituted for any previously existing schedule to the policy of the same or similar designation. The agreements and amendments

are effective from January 1 through December 31, 2010. Funds are budgeted.**p.21**

- D. Authorization of Amendment No. 1 to Ordinance No. 54-2010 to Correct a Clerical Error Regarding the Administrative Officer Position in the Division of Youth Services. (181-10) (L. Jarvis/Rumpke)  
This request will authorize Amendment No. 1 to correct a clerical error in Section 1 of Ordinance No. 54-2010 to change 350.02 1 112 118E Administrative Officer to read 650.02 1 112 118E Administrative Officer. There are no other changes associated with this amendment.**pp.22-23**
- E. Authorization of Amendment No. 1 to Resolution No. 788-2009 to Correct a Clerical Error Regarding Probationary Civil Service Appointments. (188-10) (L. Jarvis/Rumpke)  
This request will authorize Amendment No. 1 to Resolution No. 788-2009 to correct a clerical error to change *Tonia Walters, Staff Assistant Sr., Grade 108N, \$13.130 hourly, in the Division of Facilities & Fleet Management, effective December 7, 2009* to read *Tonia Walters, Staff Assistant Sr., Grade 108N, \$13.130 hourly, in the Division of Building Inspection, effective December 7, 2009*. There are no other changes associated with this amendment.**pp.24-26**
- F. Authorization to Approve the Seventh Amendment to Agreement with AmeriNational Community Services, Inc. Regarding the HOME and Community Development Block Grant (CDBG) Housing Rehabilitation and Homeownership Programs. (196-10) (P. King/Rumpke)  
This request will authorize the approval of the seventh amendment to agreement with AmeriNational Community Services, Inc. to extend agreement through June 30, 2012 and provides up to an additional \$60,000 for servicing amortizing loans funded by the HOME and CDBG Housing Rehabilitation and Homeownership Programs. There are no other changes associated with this amendment. Funds are budgeted.**p.27**
- G. Authorization to Approve a Merchant Processing Application and Agreement with Direct Connect, LLC on Behalf of the Special Events Commission for Spotlight Lexington. (177-10) (Greathouse/Rabold)  
This request will authorize the approval of a Merchant Processing Application and Agreement with Direct Connect, LLC on behalf of *Spotlight Lexington* to allow for remote credit card processing for purchase of commemorative prints and pins. Costs will vary and is based on actual usage.**pp.28-31**
- H. Authorization to Approve Proposed Ordinance and Local Participation Agreement Regarding the Turfland Town Center Development Area by Turfland Development Company, Inc. as a Tax Incremental Financing (TIF) Development Project. (194-10) (Kelly)  
This request will authorize the approval of the proposed Ordinance and Local Participation Agreement for submission to the Kentucky Economic Development Financing Authority regarding the Turfland Town Center Development Area by Turfland Development Company, Inc. as a TIF Development Project for certain infrastructure costs.**pp.32-44**

- I. Authorization to Approve a License and Sponsorship Agreement by and between Fifth Third Bank, Downtown Lexington Corporation (DLC) Foundation, and LFUCG, and to Accept a Cash Donation for Construction of the Fifth Third Bank Pavilion. (178-10) (Askew)

This request will authorize the approval of a License and Sponsorship Agreement by and between Fifth Third Bank, DLC Foundation and LFUCG to accept a donation of \$750,000 for construction of the Fifth Third Bank Pavilion located at Cheapside Park. **pp.45-53**

- J. Authorization to Accept a Grant Award Offered by the Financial Commission for Appalachia High Intensity Drug Trafficking Area (HIDTA) on Behalf of the Department of Public Safety, Division of Police. (182-10) (P. King/Bennett)

This request will authorize the acceptance of a grant award of federal funds in the amount of \$2,000 offered by the Financial Commission for Appalachia HIDTA on behalf of the Division of Police for narcotics investigation. Funds will be used for officer overtime. The source of funds is the White House Office of National Drug Control Policy. No matching funds are required. **p.54**

- K. Authorization to Accept a Grant Award Offered by the Blue Grass Community Foundation on Behalf of the Department of Public Safety, Division of Police for Expansion of Broadband Access. (183-10) (P. King/Bennett)

This request will authorize the acceptance of a grant award in the amount of \$525,000 offered by the Blue Grass Community Foundation on behalf of the Division of Police for expansion of broadband access for enhanced public safety. Funds will be used to improve the Wi-Fi network coverage in high crime areas, for professional services to conduct engineering study and site survey for project elements, and for the purchase of network components for installation on existing poles. The source of funds is the John S. and James L. Knight Foundation. No matching funds are required. **p.55**

- L. Authorization to Submit Grant Application to the US Department of Homeland Security on Behalf of the Department of Public Safety, Division of Fire & Emergency Services under the 2010 Assistance to Firefighters Grant Program. (192-10) (P. King/Bennett)

This request will authorize the submission of a grant application for funds in the amount of \$140,000 to the US Department of Homeland Security on behalf of the Division of Fire & Emergency Services for purchase of a Propane Fueled Burn Room Prop for live fire training under the 2010 Assistance to Firefighters Grant Program. A local match of 35% (\$35,000) local is required and has been requested in the FY2011 General Fund budget. If approved, total program cost will be \$175,000. **p.56**

- M. Authorization to Accept a Grant Award from the Kentucky Department of Military Affairs, Division of Emergency Management on Behalf of the Department of Public Safety, Division of Emergency Management / 911 under the Chemical Stockpile Emergency Preparedness Program (CSEPP) – FY2010. (193-10) (P. King/Bennett)

This request will authorize the acceptance of a grant award of federal funds in the amount of \$595,600 from KDMA DEM on behalf of the Division of Emergency Management / 911 under CSEPP. Funds will be used to support

salary of a coordinator, administer the local program, maintain the alert and notification system, communications, public education, purchase of supplies, decontamination equipment, professional development, and a protective action equipment shelter, and for enhancements to the Emergency Operations Center. The source of funds is the Federal Emergency Management Agency, Department of Homeland Security. No matching funds are required.**p.57**

N. Authorization to Amend Section 22-53.1 of the Code of Ordinances Regarding the Department of Public Safety, Division of Police. (195-10) (L. Jarvis/Bennett)

This request will authorize an amendment to Section 23-153.1 of the Code of Ordinances regarding the Division of Police, to set a maximum age limit of 37 years of age; remove requirement for a recruitment cycle every six (6) months to allow flexibility during budget constraints; change ranking from 100% based on oral board score to a final score combining both written and oral examinations; establish a new hiring process and eligibility list for each recruitment cycle unless extended by the Chief of Police and the Director of Human Resources; allow the Chief of Police and the Director of Human Resources to permanently remove candidates who do not meet criteria established by KRS and LFUCG ordinances; and remove the "Rule of Five" condition and allow the Chief of Police to consider all components of the examination process when making final selection. There is no fiscal impact for this action.**p.58**

O. Authorization to Accept an Award from the Kentucky Department of Local Government under the Recreational Trails Program for the Coolavin Rail Trail Project. (191-10) (P. King/Webb)

This request will authorize the acceptance of an award of federal funds in the amount of \$75,000 from the Kentucky Department of Local Government for the Coolavin Rail Trail Project, to be constructed between Fourth Street and Loudon Avenue along an abandoned R.J. Corman railroad corridor. The source of funds is the Federal Highway Trust Fund and represents a portion of the motor fuel excise tax collected from nonhighway recreational fuel use. A local match of 50% (\$75,000) is required and available in the 2008 Trail Fund budget. Total project cost is \$150,000.**p.59**

P. Authorization of a Release of a Utility Easement at Property Located at 3100 and 3110 Wall Street. (184-10) (Askew)

This request will authorize a Release of Utility Easement at property located at 3100 and 3110 Wall Street. This release has been reviewed and approved by the Divisions of Engineering, Water Quality and Traffic Engineering, and the Department of Law. There is no budgetary implication for LFUCG.**p.60**

Q. Authorization of a Partial Release of a Sanitary Sewer Easement at Property Located at 367 McConnells Trace (185-10) (Askew)

This request will authorize a Partial Release of a Sanitary Sewer Easement at property located at 367 McConnells Trace. This partial release has been reviewed and approved by the Divisions of Engineering, Water Quality and Traffic Engineering, and the Department of Law. There is no budgetary implication for LFUCG.**p.61**

R. Authorization of a Partial Release of a Parking and Access Easement at Property Located at 366 McConnells Trace. (186-10) (Askew)

This request will authorize a Partial Release of a Parking and Access Easement at property located at 366 McConnells Trace. This partial release has been reviewed and approved by the Divisions of Engineering, Water Quality and Traffic Engineering, and the Department of Law. There is no budgetary implication for LFUCG.**p.62**

S. Authorization to Create an Internal Energy Fund within the Department of Environmental Quality. (187-10) (Taylor)

This request will authorize the creation of an Internal Energy Fund within the Department of Environmental Quality, to capture savings generated through energy management and energy improvements at LFUCG-owned facilities. The savings will be reinvested in additional energy improvements to provide a funding stream for energy projects.**pp.63-64**

T. Authorization of an Agreement with EnergyCAP® on Behalf of the Department of Environmental Quality under the Energy Efficiency and Conservation Block Grant (EECBG) Program. (189-10) (P. King/Taylor)

This request will authorize an agreement in the amount of \$113,887.50 with EnergyCAP® on behalf of the Department of Environmental Quality for software license, training and maintenance under the EECBG Program. The software will be used to develop a centralized system for monitoring and analyzing energy consumption in LFUCG and other public facilities, and traffic lights. The source of funds is the Department of Energy under the American Recovery and Reinvestment Act of 2009. No matching funds are required.**p.65**

U. Authorization of an Agreement with Bluegrass PRIDE, Inc. on Behalf of the Department of Environmental Quality under the Energy Efficiency and Conservation Block Grant (EECBG) Program (190-10) (P. King/Taylor)

This request will authorize an agreement for federal funds in the amount of \$225,000 with Bluegrass PRIDE, Inc. on behalf of the Department of Environmental Quality under the EECBG Program to perform public education and outreach on energy efficiency and conservation; promote the use of web-based energy tracking / benchmarking tools; arrange energy audits; provide on-site education and consultation to commercial building owners and occupants; facilitate grant-funded energy improvements to nonprofit art facilities under the banner of Energizing the Arts; and oversee a LED Exit Sign Change-Out Program geared toward nonprofit organizations. The source of funds is the Department of Energy under the American Recovery and Reinvestment Act of 2009. No matching funds are required.**p.66**